

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IP CO., LLC,

Plaintiff,

v.

CELLNET TECHNOLOGY, INC.,

Defendant.

Civil Action No. 1:05-CV-2658-CC

**JOINT MOTION TO DISMISS AND
MEMORANDUM IN SUPPORT THEREOF**

COME NOW Plaintiff IP Co. LLC (“IPCO”) and Defendant Cellnet Technology, Inc (“Cellnet”), to file their Joint Motion to Dismiss and in support thereof would show the Court the following:

IPCO and Cellnet have reached an agreement that resolves all issues between them as related to the matters asserted in this lawsuit and as part of that agreement, are jointly seeking a DISMISSAL WITH PREJUDICE of all claims and counterclaims between them with each party to incur their respective costs.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that the Court enter the proposed Agreed Order submitted with this Motion.

Dated: May 20, 2009

s/ John C. Herman

John C. Herman

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Georgia Bar No. 735190

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s/ Nagendra Setty

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ATTORNEYS FOR DEFENDANT

CELLNET TECHNOLOGY, INC.

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[PROPOSED] ORDER ON JOINT MOTION TO DISMISS

Before the Court is IP Co. LLC (“IPCO”) and Cellnet Technology, Inc.’s (“Cellnet”) Joint Motion to Dismiss. After considering the motion and finding that good cause exists for the granting of the same, it is hereby ORDERED that all claims asserted between IPCO and Cellnet are DISMISSED WITH PREJUDICE.

SO ORDERED this ____ day of May, 2009.

CLARENCE COOPER
UNITED STATES DISTRICT COURT

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have electronically filed the foregoing “JOINT MOTION TO DISMISS AND MEMORANDUM IN SUPPORT THEREOF” with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing(s) to all attorneys of record.

DATED: May 20, 2009

s/ Nagendra Setty
Nagendra Setty
Georgia Bar No. 636205